

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

THE TEXAS A&M UNIVERSITY §
SYSTEM AND TEXAS A&M §
ENGINEERING EXPERIMENT STATION, §
§
Plaintiffs, §
§
v. §
§
DR. MINGSHENG LIU, §
BUILDING ENERGY SOLUTIONS & §
TECHNOLOGY, INC., AND §
SHEN ZHEN BUILDING ENERGY §
ENVIRONMENT SOLUTIONS & §
TECHNOLOGY CO., LTD., §
§
Defendants. §

CIVIL ACTION No. 3:13-cv-00085-L

**STIPULATION AND MOTION
FOR PERMANENT INJUNCTION AND DISMISSAL**

Plaintiffs The Texas A&M University System and Texas A&M Engineering Experiment Station (TAMUS) and Defendants Dr. Mingsheng Liu (Liu), Building Energy Solutions & Technology, Inc. (Bes-Tech), and Shen Zhen Building Energy Environment Solutions & Technology Co., Ltd. (BestChina) stipulate as follows:

1. The parties have reached a settlement of this litigation.
2. As part of the settlement, the parties agree that this Court enter a permanent injunction in this matter and order the case be otherwise dismissed in its entirety with prejudice, in the form attached to this Stipulation as Exhibit 1. In doing so, the parties stipulate and agree that the entry of said permanent injunction and order of dismissal shall not be deemed or construed to be an admission by any party of any claim or defense asserted in this litigation.

3. The parties except BestChina affirmatively move this Court to approve this Stipulation and enter the Order in the form attached to this Stipulation as Exhibit 1. BestChina is not requesting affirmative relief from the Court but consents to the approval of this Stipulation and entry of the requested permanent injunction as part of the global settlement of this litigation. BestChina is consenting to the entry of a permanent injunction without trial or adjudication of any issue of fact or law herein.

Dated: April 11, 2014

/s/ Sarah J. Lopano

Jamil N. Alibhai
Texas State Bar No. 00793248
jalibhai@munckwilson.com
Sarah J. Lopano
Texas State Bar No. 24079914
slopano@munckwilson.com
Munck Wilson Mandala, LLP
600 Banner Place, 12770 Coit Road
Dallas, Texas 75251
(972) 628.3600 • (972) 628.3616 (fax)

Attorneys for Plaintiffs The Texas A&M University System and Texas A&M Engineering Experiment Station

/s/ David J. Skalka

Martin P. Pelster, Nebraska Bar #19223
David J. Skalka, Nebraska Bar #21537
mpelster@crokerlaw.com
dskalka@crokerlaw.com
Croker, Huck, Kasher, DeWitt,
Anderson & Gonderinger, L.L.C.
2120 South 72nd Street, Suite 1200
Omaha, Nebraska 68124
(402) 391-6777 • (402) 390-9221 (Fax)

James H. (Hamp) Moody, III
Texas Bar #14307400
hmoody@qslwm.com
Quilling, Selander, Lownds,
Winslett & Moser, P.C.
2001 Bryan Street, Suite 1800
Dallas, Texas 75201
(214) 871-2100 • (214) 871-2111 (Fax)

Attorneys for Defendants
Dr. Mingsheng Liu and Building Energy
Solutions & Technology, Inc.

/s/ Daniel J. Fischer

Daniel J. Fischer, Nebraska Bar #22272
Dan.fischer@koleyjessen.com
www.koleyjessen.com
Koley Jessen P.C., L.L.O.
1125 S. 103rd Street, Suite 800
Omaha, NE 68124
(402) 343-3757 • (402) 390-9005

James H. (Hamp) Moody, III
Texas Bar # 14307400
hmoody@qslwm.com
Quilling, Selander, Lownds,
Winslett & Moser, P.C.
2001 Bryan Street, Suite 1800
Dallas, Texas 75201
(214) 871-2100
(214) 87102111 (facsimile)

Attorneys for Shen Zhen Building Energy
Environment Solutions & Technology Co.,
Ltd.

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served a true and correct copy of the foregoing Stipulation and Motion for Permanent Injunction and Dismissal on all known counsel of record in compliance with the Federal Rules of Civil Procedure through the Court's CM/ECF system on April 11, 2014.

/s/ Sarah J. Lopano
Sarah J. Lopano